

MINUTES
TOWN OF STOKESDALE
REGULAR TOWN COUNCIL MEETING
8325 ANGEL-PARDUE ROAD
STOKESDALE, NC 27357
APRIL 13, 2023 AT 7:00 PM

Member's present were: Mayor Mike Crawford; Mayor Pro-Tem Derek Foy; Council Members: Jimmy Landreth, Tim Jones, and Jim Rigsbee; Town Attorney Charles Winfree; Finance and Budget Officer Kim Thacker, Town Clerk Dale Martin and Deputy Town Clerk Robbie Wagoner.

1. Call to Order, Pledge of Allegiance, and Invocation by Pastor Xavier Kelly of Oak Level Baptist Church.

Mayor Mike Crawford called the meeting to order and led the Pledge of Allegiance. Pastor Xavier Kelly of Oak Level Baptist Church delivered the invocation.

2. Review and Adopt the Agenda.

Councilman Tim Jones requested that Items #12 and 13 be reversed.
Councilman Jones requested the addition of item #13A – Hazen and Sawyer Proposal
Town Attorney Chuck Winfree asked for item #13B – Closed session for the purpose of discussing legal matters.

Mayor Pro Tem Derek Foy made a **Motion** to adopt the agenda as amended above. Councilman Jimmy Landreth seconded the motion.

Mayor Crawford	YES	Mayor Pro Tem Foy	YES
Councilman Landreth	YES	Councilman Rigsbee	YES
Councilman Jones	YES		

Motion carried, vote 5-0.

3. Review and Adopt the Minutes: December 10, 2020 Regular Town Council Meeting; December 13, 2020 Special Call Town Council Meeting; February 9, 2023 Closed Session; February 9, 2023 Regular Town Council Minutes (continued from March 9th); March 9, 2023 Regular Session Minutes; March 9, 2023 Closed Session Minutes.

Minutes of December 10, 2020 Regular Session

Mayor Crawford made a **Motion** to approve the minutes as presented. Councilman Landreth seconded the motion.

Councilman Jones stated that he was not present and therefore will vote nay.

Mayor Crawford	YES	Mayor Pro Tem Foy	YES
Councilman Landreth	YES	Councilman Rigsbee	YES
Councilman Jones	NAY		

Motion carried, 4-1.

Minutes of December 13, 2020 Special Called Meeting

Mayor Crawford made a **Motion** to approve the minutes as presented. Councilman Landreth seconded the motion.

Councilman Jones stated that he was not present and therefore will vote nay.

Mayor Crawford	YES	Mayor Pro Tem Foy	YES
Councilman Landreth	YES	Councilman Rigsbee	YES
Councilman Jones	NAY		

Motion carried, vote 4-1.

Minutes of February 9, 2023 Closed Session

Mayor Crawford made a **Motion** to approve the minutes as presented. Mayor Pro Tem Foy seconded the motion.

Mayor Crawford	YES	Mayor Pro Tem Foy	YES
Councilman Landreth	YES	Councilman Rigsbee	YES
Councilman Jones	YES		

Motion carried, vote 5-0.

Minutes of February 9, 2023 Regular Session (Continued from March 9, 2023)

Mayor Crawford made a **Motion** to approve the minutes as presented. Mayor Pro Tem Foy seconded the motion.

Mayor Crawford	YES	Mayor Pro Tem Foy	YES
Councilman Landreth	YES	Councilman Rigsbee	YES
Councilman Jones	YES		

Motion carried, vote 5-0.

Minutes March 9, 2023 Regular Session and Minutes of March 9, 2023 Closed Session

Mayor Pro Tem Foy made a **Motion** to approve the minutes as of the March 9th Regular Session and March 9, 2023 Closed Session. Mayor Crawford seconded the motion.

Councilman Jones asked that Page 5, the spelling of “Hunsucker” be corrected.

Mayor Crawford	YES	Mayor Pro Tem Foy	YES
Councilman Landreth	YES	Councilman Rigsbee	YES
Councilman Jones	YES		

Motion carried, vote 5-0.

4. Public Safety Reports:
a) Stokesdale Fire Department

Mayor Pro Tem Foy gave this month’s Fire Safety Report.

b) Guilford County Sheriff’s Office

Mayor Crawford read email report from Guilford County Sheriff’s Office.

5. Administrative Reports:
a) Administrative Report: Dale Martin, Town Clerk

Town Clerk Dale Martin presented the Administrative Report.

b) Planning Board:

None presented.

c) Events Committee:

None presented.

d) Property Committee:

Councilman Rigsbee stated that we reached out to Excellence Lawn Care to take of weeds that are popping up around Town Hall.

e) Town Park Improvement Committee:

Mr. Tee Stephenson gave a brief report on current meetings of the Town Park Improvement Committee. He referred to the agenda item taking place later in the meeting and encouraged Council to review and consider proposals for the basketball and pickleball courts.

6. Financial Reports:
a) Finance/Budget Officer: Kimberly Thacker

Mrs. Kimberly Thacker presented both the general fund and water fund monthly reports.

7. Citizen's Comments from the Floor (3-Minute Limit per Speaker).

None presented.

OLD BUSINESS:

8. Proposal to extend lawn care contract with Excellence Lawn Care for 1 year at the same terms and conditions. (Continued from January 12, 2023)

Mayor Pro Tem Foy made a **Motion** to approve the contract with Excellence Lawn Care for 1 year at the same terms and conditions, \$24,000/annual cost. Councilman Landreth seconded the motion.

Mayor Crawford	YES	Mayor Pro Tem Foy	YES
Councilman Landreth	YES	Councilman Rigsbee	YES
Councilman Jones	YES		

Motion carried, vote 5-0.

9. Consideration of Vendor to maintain Soccer Fields at Town Park. (No action from January 2023)

Town Attorney Chuck Winfree explained the amendment paragraph to add insurance requirements. Mr. Wagoner read the following paragraphs:

The Provider shall operate as an independent contractor. The Provider is not eligible for worker's compensation coverage under the Town's Workers' Compensation Policy while performing the contracted service for the Town. The Provider understands that no federal, state or other payroll tax of any kind shall be withheld or paid by the Town on behalf of the Provider or employees of the Provider. The Provider understands and agrees that the Provider is fully responsible for the payment of all taxes arising from the payment of monies pursuant to the Agreement.

VI.

Provider shall be responsible for providing and maintaining general liability insurance in an amount of at least \$1,000,000 with a carrier approved by Stokesdale, worker's compensation insurance for Providers employees, and any other appropriate insurance required by this Agreement or North Carolina law.

Mayor Crawford made a **Motion** to approve the contract with Hunter Enterprises for 1 year with amendment to add insurance as previously read, \$12,000 annual costs. Councilman Rigsbee seconded the motion.

Mayor Crawford	YES	Mayor Pro Tem Foy	YES
Councilman Landreth	YES	Councilman Rigsbee	YES
Councilman Jones	YES		

Motion carried, vote 5-0.

10. Opening and Consideration of Proposals for Auditing Services.

Kim Thacker, Finance Officer presented two proposals for auditing services.

W. Greene, PLLC – FY 23 - \$14,000, FY 24 - \$14,000, FY 25 - \$14,000

C. Randolph, CPA - \$10,625 with a cap of no more than 3% increase for 2024 and 2025.

Mrs. Thacker noted that in her research of W. Greene, PLLC she learned that there was some tardiness in submitting the audit reports and that in some cases, Mr. Greene was replaced by the municipality.

Mrs. Thacker then spoke of her extensive conversation with Ms. Randolph and believed her to be very knowledgeable with 31 years of experience. She stated that Ms. Randolph understands that this is a 1-year contract with a 3-year proposal submitted. Any increase in cost is to be no more than 3% for the subsequent 2 years.

Mayor Pro Tem Foy made a **Motion** to approve the contract with C. Randolph CPA, PLLC Certified Public Accountant to conduct the annual Financial Auditing services for the Town of Stokesdale for FY 2023 in the amount of \$10,625. Councilman Landreth seconded the motion.

Mayor Crawford	YES	Mayor Pro Tem Foy	YES
Councilman Landreth	YES	Councilman Rigsbee	YES
Councilman Jones	YES		

Motion carried, vote 5-0.

NEW BUSINESS:

11. Town Park Improvements. (Additions to Town Park: New Playground Equipment)

Mayor Pro Tem Foy referenced the proposal submitted to Council.

Mayor Pro Tem Foy made a **Motion** to accept the proposal submitted by #6099f, dated March 6, 2023 from Back Yard Paradise, 3123-K Cedar Park Road, Greensboro, NC to install playground equipment under the terms of the proposal and in the amount of \$81,692.83, of which \$5,013.83

in sales tax which will be returned to the Town of Stokesdale. Councilman Landreth seconded the motion.

Mayor Pro Tem Foy announced that the Town received nine different proposals from three different vendors and after careful review felt that Back Yard Paradise would be the best option for the Town.

Councilman Jones asked if anyone went to look at their work? Mayor Pro Tem Foy stated that their work was a summary and reference information in the packet given to Council a week or so ago. He added that Mrs. Hunsucker did conduct reference checks.

Mayor Crawford	YES	Mayor Pro Tem Foy	YES
Councilman Landreth	YES	Councilman Rigsbee	YES
Councilman Jones	YES		

Motion carried, vote 5-0.

13. Consideration to accept Scott transcript dated May 24, 2022. (Reversed with Item #12)

Councilman Jones introduced this item and stated that he has had a discussion with Mr. Winfree in regard to legal concerns with this item and understands those concerns. He believes the citizens are entitled to transparency. He had this transcript done because the audio is not clear in some places. He noted that the minutes of the closed session have been released. He noted that the Transcriptionist is not a certified court reporter, but her business is to provide transcripts for government entities and private corporations.

Councilman Jones made a **Motion** to accept the Transcript as a supplement to the audio with whatever reservations Mr. Winfree thinks are appropriate for the closed session held March 12, 2020.

Mr. Winfree identified four concerns with the release of this transcript. One being that Ms. Scott is not a registered court reporter/transcriptionist and noted the training and qualifications required for that designation. He was concerned that she was not present at the meeting and questioned her ability to know who said what from an audio tape. He questioned the format of the document which was a word document that is editable by anyone that received it. He also noted that she certified that it was an accurate transcript of the recording that she received, but it has not been determined that the recording she received is an accurate and complete recording of that meeting.

Mr. Winfree stated that if the Town vouches for the accuracy of the transcript and it is then disputed by someone, the Town may have to defend itself in a defamation lawsuit.

Council discussed the liability of accepting this transcript as part of the Town's records.

Councilman Landreth seconded the motion.

Town Clerk Martin asked for clarification on what is meant by accepting the transcript. Councilman Jones stated that his intent is to have the transcript added as a supplement to the audio recording and not the written minutes that have already been approved by Council.

Councilman Landreth expressed concern with bringing this back up again.

Mayor Pro Tem Foy stated that he has not ever received a copy of this transcript and is being asked to vote for something that he has not seen and stated that this is senseless to do.

Mayor Crawford	NAY	Mayor Pro Tem Foy	NAY
Councilman Landreth	NAY	Councilman Rigsbee	NAY
Councilman Jones	YES		

Motion failed, vote 1-4.

12. Discussion regarding the recording of Closed Sessions. Reversed with 13

Mayor Crawford stated that Mr. Winfree has provided Council with options to consider. Mr. Winfree explained the purpose of closed sessions and what is allowed to be excluded by State Law and explained the following options.

TOWN OF STOKESDALE

OPTIONS FOR RECORDING OF CLOSED SESSIONS

None of these options would have retroactive application; any recordings existing on the date of the adoption of any policy would be controlled by option 1, below.

1. Adopt no policy, permitting unrestricted recording of minutes and imposing no requirement for deletion of recordings.
2. Adopt a policy completely prohibiting the recording of closed meetings.
3. Adopt a policy that allows only the Town Clerk to record to assist with minutes, with the recording to be secured and deleted after the minutes are approved. Before minutes are finalized, any member of Town Council, the Town Clerk, or Town Attorney could listen to the recording.
4. Adopt a policy that allows only the Town Clerk to record, and the recording is preserved indefinitely but secured. Council would need to decide if members of Town Council who were not members at the time of the closed session could listen to the recording, and if

people who were on the Council at the time of the meeting could listen to the recording after their terms run.

5. Adopt a policy that allows any participant to record, but requires the deletion of the recording once the minutes of the closed session have been approved.

Mr. Winfree advised Council to adopt option #3.

Councilman Jones made a **Motion** to continue this item to allow time to study how various forms of government handle this issue.

Mayor Pro Tem Foy seconded the motion and offered that the item be continued to the next regularly scheduled Council Meeting. Councilman Jones accepted the **amendment**.

Mayor Crawford	YES	Mayor Pro Tem Foy	YES
Councilman Landreth	YES	Councilman Rigsbee	YES
Councilman Jones	YES		

Motion carried, vote 5-0.

13-A. Consideration of Hazen and Sawyer Proposal.

Councilman Jones stated that this came in at the last minute.

Mayor Crawford made a **Motion** to continue this proposal dated 4-11-2023 by Hazen and Sawyer until the May regular Council meeting. Councilman Landreth seconded the motion.

Mayor Crawford	YES	Mayor Pro Tem Foy	NAY
Councilman Landreth	YES	Councilman Rigsbee	YES
Councilman Jones	YES		

Motion carried, vote 4-1.

13 B. Closed Session in accordance with North Carolina General Statutes 143-318.11.

- (a) Permitted Purposes - It is the policy of this State that closed sessions shall be held only when required to permit a public body to act in the public interest as permitted in this section. A public body may hold a closed session and exclude the public only when a closed session is required.
- (3) To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged.

Mayor Crawford made a **Motion** to go into Closed Session in accordance with NCGS 143-318.11 to discuss legal matters with the Town Attorney. Councilman Landreth seconded the motion.

Mayor Crawford	YES	Mayor Pro Tem Foy	YES
Councilman Landreth	YES	Councilman Rigsbee	YES

Councilman Jones	YES		
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Motion carried, vote 5-0.

Council entered Closed Session at 8:08 PM.

Mayor Pro Tem Foy made a **Motion** to enter into Open Session at 8:28 PM. Councilman Rigsbee seconded the motion.

Mayor Crawford	YES	Mayor Pro Tem Foy	NAY
Councilman Landreth	YES	Councilman Rigsbee	YES
Councilman Jones	YES		

Motion carried, vote 5-0.

14. Council Comments.

Mayor Crawford announced that he has been approached by Summerfield and asked that the Town consider a Proclamation/Resolution in support of Summerfield's efforts in opposition to the deannexation.

Mayor Pro Tem Foy expressed his support and added that this merits a special called meeting of Council. He called a Special Called Meeting for Thursday, April 20, 2023 at 7:00 PM to consider a Proclamation/Resolution in support of Summerfield.

It was suggested that Council also consider the Hazen and Sawyer proposal.

Councilman Jones stated that he stands by his request to accept the transcript discussed previously.

Mayor Crawford read the following announcements.

ANNOUNCEMENTS:

- **The Town of Stokesdale Town Planning Board will hold a meeting on April 27, 2023 at 7:00 PM inside the Town Hall Council Chambers, located at 8325 Angel-Pardue Road, Stokesdale, NC 27357.**
- **The Town of Stokesdale Town Council will hold a Budget Workshop meeting on May 04, 2023 at 7:00 PM inside the Town Hall Council Chambers, located at 8325 Angel-Pardue Road, Stokesdale, NC 27357.**
- **The Town of Stokesdale Town Council will hold a regular meeting on May 11, 2023 at 7:00 PM inside the Town Hall Council Chambers, located at 8325 Angel-Pardue Road, Stokesdale, NC 27357.**

15. Adjournment.

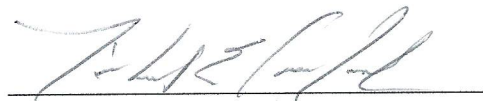
Mayor Crawford made a **Motion** to adjourn the meeting at 8:34 PM. Councilman Landreth seconded the motion.

Mayor Crawford	YES	Mayor Pro Tem Foy	YES
Councilman Landreth	YES	Councilman Rigsbee	YES
Councilman Jones	YES		

Motion carried, vote 5-0.

Being no further business to come before Council, the meeting was adjourned at 8:34 pm.

Approved: December 14, 2023.


Michael E. Crawford, Mayor

ATTEST:


Dale F. Martin, Town Clerk